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\* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

% *Date of Decision: 30<sup>th</sup> July, 2025*

+ CM(M) 1392/2025 & CM APPL. 45828/2025

MONIKA JUNEJA

.....Petitioner

Through: Mr. Lalit Valecha, Advocate.

versus

MUNICIPAL CORPORATION OF DELHI & ORS.

.....Respondent

Through: Mr. Tushar Sannu, Standing Counsel  
with Mr. Shivam, Advocate.

Mr. Anupam Srivastav, Sr. Advocate  
with Mr. Rishikesh Kumar, Advocates  
for R-4.

**CORAM:**

**HON'BLE MR. JUSTICE MANOJ JAIN**

**J U D G M E N T (oral)**

1. Petitioner is plaintiff before the learned Trial Court and has filed a suit for injunction.
2. When the abovesaid suit was taken up by the learned Trial Court on 27.07.2024, it declined to grant any “*ad-interim injunction*”.
3. Such order was assailed by the plaintiff by filing an appeal, which was registered as MCA DJ 22/2024.
4. The learned First Appellate Court has also disposed of the abovesaid appeal *vide* order dated 10.07.2025.
5. Such order is under challenge.
6. Fact, however, remains that substantive application moved by the plaintiff under Order XXXIX Rule 1 and 2 CPC is still pending adjudication before the learned Trial Court.



7. The learned Appellate Court has also permitted the plaintiff to produce additional material before the learned Trial Court and to re-agitate the issue of illegal construction on third floor while considering her application moved under Order XXXIX Rule 1 and 2 CPC.
8. It is apprised that the next date before the learned Trial Court is 26.08.2025 for consideration of such application.
9. Since the learned Trial Court had, merely, declined to grant any *ad-interim injunction*, the plaintiff can always make arguments afresh on his substantive injunction application and the learned Trial Court, without being influenced by the observations appearing in order dated 10.07.2025 passed by learned First Appellate Court, can consider the abovesaid application and take a decision afresh.
10. Viewed thus, there is no point in invoking supervisory jurisdiction in the present matter, at the moment.
11. Learned Senior Counsel for respondent No.4 and learned counsel for respondent No. 1/MCD are present on advance notice and they also submit that the learned Trial Court can always consider injunction application, without being influenced by any of the observation appearing in the impugned order dated 10.07.2025.
12. The present petition is, accordingly, disposed of in aforesaid terms.
13. Pending application also stands disposed of in aforesaid terms.
14. All rights and contentions of the parties are reserved.

**(MANOJ JAIN)**  
**JUDGE**

**JULY 30, 2025/ss/js**